

FILED

UNITED STATES DISTRICT COURT FOR THE  
NORTHERN DISTRICT OF WEST VIRGINIA

APR 15 2025

U.S. DISTRICT COURT  
ELKINS WV 26241

UNITED STATES OF AMERICA,

v.

MARIAH NICOLE GOMER and  
JAMES RICHARDSON MITCHELL,

Defendants.

Criminal No. 3:25-CR- 24

Violations: 18 U.S.C. § 2  
18 U.S.C. § 922(a)(6)  
18 U.S.C. § 922(g)(1)  
18 U.S.C. § 924(a)(2)  
18 U.S.C. § 924(a)(8)  
18 U.S.C. § 932(b)(2)  
18 U.S.C. § 933(a)(1)  
18 U.S.C. § 933(a)(2)

INDICTMENT

The Grand Jury charges that:

COUNT ONE

(Aiding and Abetting False Statement During Purchase of Firearms)

On or about June 21, 2024, in Mineral County, in the Northern District of West Virginia, defendants **MARIAH NICOLE GOMER** and **JAMES RICHARDSON MITCHELL**, aided and abetted by each other, in connection with the acquisition of a firearm, that is a Ruger, Model LCP MAX, .380 caliber pistol, serial number 381498864, from a FFL, a licensed dealer of firearms within the meaning of Chapter 44, Title 18, United States Code, knowingly made a false and fictitious written statement and knowingly furnished and exhibited a false, fictitious, and misrepresented identification to the FFL, which statement and identification was intended and likely to deceive the FFL, as to a material fact to the lawfulness of such sale of the said firearm to defendant **MARIAH NICOLE GOMER** under Chapter 44 of Title 18, in that the defendant

**MARIAH NICOLE GOMER** represented herself to be the actual purchaser when she was not and the actual purchaser was defendant **JAMES RICHARDSON MITCHELL**; in violation of Title 18, United States Code, Sections 2, 922(a)(6), and 924(a)(2).

**COUNT TWO**

(Straw Purchasing of a Firearm)

On or about June 21, 2024, in Mineral County, in the Northern District of West Virginia, defendant **MARIAH NICOLE GOMER** did knowingly purchase a firearm, to wit: a Ruger, Model LCP MAX, .380 caliber pistol, serial number 381498864, in and otherwise affecting interstate and foreign commerce for, on behalf of, and at the request or demand of James Richardson Mitchell, knowing and having reasonable cause to believe that James Richardson Mitchell intended to use, carry, possess, or sell, or otherwise dispose of the firearm in furtherance of a felony, in violation of Title 18, United States Code, Section 932(b)(2).

**COUNT THREE**

(Trafficking of a Firearm)

On or about June 21, 2024, in Mineral County, in the Northern District of West Virginia, defendant **MARIAH NICOLE GOMER** did ship, transport, transfer, cause to be transported, and otherwise dispose of a firearm, to wit: a Ruger, Model LCP MAX, .380 caliber pistol, serial number 381498864, to James Richardson Mitchell, in and otherwise affecting commerce, knowing and having reasonable cause to believe that the use, carrying, and possession of the firearm by James Richardson Mitchell would constitute a felony, and did attempt and conspire to do so, in violation of Title 18, United States Code, Section 933(a)(1).

**COUNT FOUR**

(Trafficking a Firearm)

On or about June 21, 2024, in Mineral County, in the Northern District of West Virginia, defendant **JAMES RICHARDSON MITCHELL** did receive from another person, in and otherwise affecting interstate and foreign commerce, a firearm, to wit: a Ruger, Model LCP MAX, .380 caliber pistol, serial number 381498864, knowing and having reasonable cause to believe that such receipt would constitute a felony, and did attempt and conspire to do so, in violation of Title 18, United States Code, Section 933(a)(2).

**COUNT FIVE**

(Unlawful Possession of a Firearm)

On or about June 21, 2024, in Mineral County, in the Northern District of West Virginia, defendant **JAMES RICHARDSON MITCHELL**, knowing that he had been convicted of a crime punishable by imprisonment for a term exceeding one year, that is, the felony offense of assault second degree, in violation of Maryland CR.3.203, in the District Court for Baltimore City, State of Maryland, in case number 5B02186252, did knowingly possess a Ruger, Model LCP MAX, .380 caliber pistol, serial number 381498864, said firearm having been shipped and transported in interstate commerce; in violation of Title 18, United States Code, Sections 922(g)(1) and 924(a)(8).

**FORFEITURE ALLEGATION**

*Gun Control Act*

Pursuant to Title 28, United States Code, Section 2461(c), and Title 18, United States Code, Section 924(d)(1) and 934, the government will seek the forfeiture of any firearm and any ammunition involved in and used in any knowing violation of Title 18, United States Code, Sections 924(a)(8), 922(g)(1), 924(a)(2), 932, and 933 including the following a Ruger, Model LCP MAX, .380 caliber pistol, serial number 381498864, a Ruger, Model LCP MAX, .380 caliber pistol, serial number 381497172, and ammunition.

A True Bill,

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Grand Jury Foreperson

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